

October 4, 2007

Northborough Realty Holdings, LLC  
401 Lowell Street, Unit 6  
Lexington, Massachusetts 02420

Re: Tiverton Zoning Board Relief, Map 1-13, Plat/Block 94, Lot/Card 189

To Whom It May Concern:

The following is the decision on your Petition heard by the Zoning Board of Review (the "Board") on October 3, 2007 on your request for either an extension or a finding by the Board that the applicant has exercised the special use permit granted on October 4, 2006 to construct a fifty-two unit multi-family condominium complex (the "Use") located at Main Road, Tiverton, Rhode Island at Map 1-13, Block/Plat 94, Card/Lot 189 (the "Premises) pursuant to Article IV, Section 2.c. of the Tiverton Zoning Ordinance in an R60 zone.

After the testimony was completed at the public hearing for which due notice was given and a record kept, and after having viewed the premises and the surrounding area, the Board, taking into consideration its knowledge and expertise and after taking into consideration all of the testimony at the public hearing, makes the following findings:

1. That the Premises contain approximately 15.87 acres of land area, more or less, zoned R60 residential.
2. That the Premises is vacant land and the proposed Use requires the issuance of a special use permit pursuant to Article IV, Section 2.c. of the Zoning Ordinance.
3. That the petitioner desires to establish a fifty-two unit multi-family condominium community that will include forty of the dwelling units as market rate and twelve of the dwelling units as "countable" low and moderate income dwelling units toward the Town's obligation to produce additional low and moderate income dwelling units.
4. That the petitioner previously presented a civil engineering expert, a traffic expert and real estate expert who all testified that the proposed Use was compatible with the surrounding area and would pose no significant negative impacts.
5. That no objectors or concerns regarding the Use were offered at the public hearing.
6. That the Planning Board granted both master plan and preliminary plan approval to the Use and that final plan submission is imminent.

7. That the Board concurred with the factual statements and opinions of the petitioner's representative, whose information, analysis and conclusions were found credible and are made a part of the record. No objections were entered into the record.

Based on the foregoing, the Board voted unanimously to find that the petitioner had exercised the special use permit previously granted and that no further extensions of the permit would be necessary, subject to the following stipulations and conditions:

1. That this decision must be recorded in the Land Evidence Records in the Town Clerk's Office before a building permit/certificate of occupancy is issued. (Please note that the appeal period (20 days) begins when said decision is recorded and posted with the Town Clerk's Office).
2. That the relief is limited to the plans and representations made by the petitioner to the Board and that any changes to the approved plan shall not be made without approval of the Zoning Board of Review.
3. That the petitioner must obtain all other required permits to conduct the Use.
4. That the recommendations of the traffic expert's report must be incorporated into the design plans for the Use.
5. That adequate buffering must be incorporated into the design plans for the Use to reflect the natural surroundings of the area and provide for privacy.

Present this letter to the Building Inspector when applying for the necessary permits.

Very truly yours,

David Collins, Chairman  
Tiverton Zoning Board of Review

Book 1164 pgs 316 & 317  
October 5, 2007 1242pm